

SENATE/HOUSE FILE _____
BY (PROPOSED ETHICS AND
CAMPAIGN DISCLOSURE BOARD
BILL)

A BILL FOR

1 An Act relating to competitive bidding requirements applicable
2 to certain governmental officials and employees.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68B.3, Code 2018, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. This section does not apply
4 to a contract for professional services that is exempt
5 from competitive bidding requirements in the Code or in
6 administrative rules adopted pursuant to the Code.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 Under current law, an official, a state employee, a member
11 of the general assembly, or a legislative employee, except as
12 part of an official state duty, shall not sell, in any one
13 occurrence, any goods or services having a value in excess of
14 \$2,000 to any state agency unless the sale is made pursuant to
15 an award or contract let after public notice and competitive
16 bidding.

17 As used in Code chapter 68B, "official" means all statewide
18 elected officials, the executive or administrative head or
19 heads of an agency of state government, the deputy executive or
20 administrative head or heads of an agency of state government,
21 members of boards or commissions as defined under Code
22 section 7E.4, and heads of the major subunits of departments
23 or independent state agencies whose positions involve a
24 substantial exercise of administrative discretion or the
25 expenditure of public funds as defined under rules of the board
26 adopted in consultation with the department or agency and
27 pursuant to Code chapter 17A.

28 This bill exempts these individuals from this prohibition
29 if the services provided are pursuant to a contract for
30 professional services that is exempt from competitive bidding
31 requirements in the Code or in administrative rules adopted
32 pursuant to the Code.